(c) and (d) According to the information furnished by the Ministry of Surface Transport, the 'Pathkar' has since been abolished in all the States with effect from 1-9-1993.

Changes in the Company Deposit Rules

992. SHRI RAJUBHAI A. PARMAR: Will the PRIME MINISTER be pleased to state:

(a) whether the Law Commission has mooted certain changes and modifications in the Company Deposit Rules, with a view to securing statutory protection of small depositors; and

(b) if so, what is Government's response and reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) and (b) The Law Commission has made, inter-alia, the following recommendations:—

(i) providing definition of Small depositors who have deposits upto Rs. 11,000;

(ii) the default in repayment of the matured deposits may be intimated by the Company to the Company Law Board;

(iii) prohibition from raising further deposits by the Companies which have defaulted in repayment of the deposits and interest thereon;

(iv) the defaulting companies should report the fact of default in future advertisements inviting deposits from public; and

(v) The companies may be allowed to utilise the funds obtained by way of loans for repayment to small depositors.

The Companies Bill, 1993 introduced in the Rajya Sabha on 14-5-1993 already provide that the company which has failed to repay any deposit or interest due thereon shall be prohibited from raising further deposits and from making inter-corporate loans/investments, until the default is made good. Compulsory credit rating is also proposed to be introduced in case of companies intending to raise deposits, through advertisements.

Discussion on Companies Bill, 1993 with SEBI

993. SHRI DIGVIJAY SINGH:
SHRI SATYA PRAKASH MALAVIYA:

Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to hold discussions with the Securities and Exchange Board of India (SEBI) to remove over-lappings in various provisions of the Companies Bill, 1993 and the SEBI guidelines relating to the Capital Market;

(b) if so, whether Government officials and SEBI have met recently to streamline the provisions to avoid contradicting each other; and

(c) if so, what are the details of the meeting and the final decision, if any, taken with regard thereto?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) to (c) The Department of Company Affairs has consulted SEBI on some of the provisions in the Companies Bill, 1993. The inter-action with SEBI is an on-going process and the views expressed by SEBI have been duly taken note of by the Department.

Categorisation of Companies Bill

994. SHRI SATYA PRAKASH MALAVIYA:
SHRI ANANT RAM JAISWAL:

Will the PRIME MINISTER be pleased to state:

(a) whether Government have received any suggestion from Chambers of Commerce and Industry functioning in different States regarding categorisation of existing Companies Bill;